

## THE INDEPENDENT

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HELENA, MONT., NOV. 27, 1889.

## MORE KNAVERY.

The discovery in pigeon-holes in the governor's office yesterday of withheld certificates of election containing the names of the four democratic representatives and the democratic senator from Silver Bow county, whose election is not in dispute, affords fresh evidence of the extent of the state stealing conspiracy and the part the state board of canvassers played in the fraud.

It will be recalled that the state canvassers on November 4 issued an official declaration of the result of the election, without the vote of precinct 34, giving the names of all members of the legislature in the state whom they had thus found to be elected. Their figures elected a democratic senator, four democratic representatives and six republican representatives from Silver Bow county, and the board, having assumed the right so to do, proceeded to issue certificates of election to the candidates they had not counted out.

But the board could not be honest even then, after it had robbed five men of their seats. The republican members from Silver Bow county all got their state board certificates fast enough, but the democratic senator and representatives never heard from theirs. They had the lawful certificates of the county clerk, however, and had no particular use for the others, but they were naturally curious to know why the state board which had declared them duly elected, had sent certificates to all the republicans and none of the democrats from that county.

The find in the governor's office threw some light on this mystery. There were the certificates duly filled in and bearing Secretary Walker's signature, but the name of Gov. White was not signed to them.

The object of the state stealers and their agents on the state canvassing board in holding back these certificates was undoubtedly to gain an expected advantage in the organization of one or both branches of the legislature. It would have been easy, for instance, to have raised an objection to the swearing in of Mr. Hennessey, the senator from Silver Bow, at the last minute on the ground that he had no state returning board certificate. In this way the republicans could have secured a clear majority in that body.

Whatever the conspirators intended to accomplish by this knavery, they failed in their purpose. They have done nothing but give to the country added evidence that they scrupled at nothing to gain the end they sought.

## FISHER'S BOOMERANG.

If the republican conspirators had asked Sanders himself to make a public speech in defense of their unlawful acts he couldn't have made a worse mess of it than did Mr. Fisher of Jefferson in the senate yesterday in trying to defend his party. In complaining of the absence of democratic senators Mr. Fisher said: "We assembled here at the hour and the place named in the governor's proclamation and in that much have shown our disposition to be reasonable. Our democratic colleagues were elected by their constituents to perform an important and high duty, but they persist in absenting themselves continually, and by their refusal to come in and assist to organize this senate they are trampling under foot the rights of the people and the laws of the state."

The question will naturally arise why, if the republican senators recognized and responded to Gov. Toole's proclamation, the republican representatives-elect did not also assemble at the time and place named by the governor. They are the men who absented themselves, Mr. Fisher. They are the men who are "trampling under foot the rights of the people," Mr. Fisher. They are the men who have stricken the courts of justice with paralysis, who have threatened the public peace, plunged our government into chaos, disgraced our state in the eyes of the world, Mr. Fisher, and no one knows it better than you.

You cannot deceive the public in this matter, Mr. Fisher. The people are watching this conspiracy. They know who dances when Sanders cracks the whip, who falls into line at the whisper of Boodier Hershfield—who the obstructionists are and what their motives are. Don't delude yourself with the idea that you are misleading anybody, Mr. Fisher. The people understand the game thoroughly.

The deadlock will end whenever your party chooses to end it. Tell Hershfield and Sanders to go off and bury their senatorial ambition in the back

yard; tell Kenney you will impeach him for defying the governor's proclamation issued under the seal of the state; disband your unlawful rump house of representatives and tell the members to follow your example in proceeding according to the law and the governor's proclamation, and you will see the legislature organized, the wheels of government set in motion, peace and order restored.

But there will be no organization of the legislature until your conspirators abandon their evil purposes and the bolting republican representatives recognize the rightful authority of the governor as the republican senators have done.

The Philadelphia Record says: "The HELENA INDEPENDENT shows that it was a physical impossibility that President Harrison should have been legally advised of the action of the Montana state canvassing board at the time his proclamation was issued declaring the state admitted into the union. The haste of this action devolves upon the president a duty of explanation. It is charitable to think that he may have been deceived by returns of the canvass sent by returning board rascals before the canvass had actually been made."

Well, he had no excuse for being deceived; he knew the gang, and many of the foremost citizens telegraphed, asking him to withhold the proclamation until the facts were laid before him.

SOME of Hershfield's workers are worried over sec. 42, article V, of the constitution, which reads: "Any person who shall directly or indirectly offer, give or promise any money or thing of value, testimonial, privilege or personal advantage, to any member of the legislative assembly, etc., shall be deemed guilty of bribery and be punished in such manner as shall be provided by law." Has anybody been giving desks or promising to guarantee salaries to anybody?

HERSHFIELD will be the rump senator from the east side—or the ex-convict's figures are all wrong.

The Rev. Mr. Allen has a sound head. He could not afford to be chaplain of Kenney's rumps.

HERSHFIELD'S rump corral grows bleaker and more uninviting day by day.

Has Auditor Kenney issued his Thanksgiving proclamation yet?

Poor rumps! What a Thanksgiving!

RUMBLINGS OF THE RUMPS.

Man from Iron Block (in restaurant)—Waiter, bring me a nice rare beefsteak.

Fly Waiter (to cook)—One rump steak, rare!

First Rump—What are we going to have for a Thanksgiving dinner?

Second Rump—Well, what do you say to cooking Hershfield's goose?

Sanders, may I go out for air?

Yes, my darling rumper;

Let the sergeant-at-arms hold down your chair,

But don't go near the thumper.\*

\*Poetic license for Capt. Jack Smith.

DUTY OF DEMOCRATIC SENATORS.

Benton River Press: The duty of democratic members of the senate is plain. They know they have a desperate and unscrupulous gang of state stealers to contend with. Their programme is as clear as day. They don't care a continental whether a single bill shall be enacted into a law this winter, but they do want to elect a couple of their number to the United States senate. It doesn't matter to them whether the lower house is unlawfully constituted or not. All they care about is to hold the five Silver Bow frauds with them until the senate shall organize, when they will have the game in their own hands. They will then elect their senators and trust to a partisan senate to admit them. Democratic state senators will not walk into the trap, however cunningly devised. The voice of the people as expressed at the ballot box must be heeded. They declared that the state should be represented in the United States senate by two democrats, by electing a democratic majority in the legislative assembly. The people look to the democratic members of the state senate to carry out their wishes and they should stand out until the trump of Gabriel calls them where state stealing is known no more, forever, before they move one jot from their position. Let their shillboleth be "no rump in ours."

A CHECK TO WOOLSTON.

The City Council Objects to Giving His Company a Five Year Contract.

Quite a long drawn farce was enacted at the city council meeting last night, entitled "The Water Contract." From 7:30 to nearly 12 o'clock midnight the dozen members present and the mayor waded through the document in committee of the whole, carefully scrutinizing every sentence and making many amendments. The members seemed greatly interested and it looked as though the matter would be finally and effectually disposed of. When it came to adopting the ordinance which gave a five-year contract to the company, each negative voter made a short but pointed speech in support of his action. The result was 7 to 6 in favor of a five-year contract, the mayor voting "aye," but an inspection of a certain ordinance showed that it required eight votes, or the majority of all the aldermen elected to grant a contract. A motion to reconsider prevailed and Harrison started in upon a tirade against those who voted no, charging them with being led by "Mosback" Lissner. The latter who protested to the deal from the beginning was in high glee. The matter was laid upon the table until next meeting. It was evident that a two year contract could be agreed to.

## The Meeting in Detail.

The city council met in regular session last night for the consideration of the water contract, and after disposing of a few minor matters went into committee of the whole, Alderman Adkinson in the chair. Present: Mayor Fuller, Aldermen Brown, Loeb, Harrison, Featherly, Allen, Spencer, Lissner, Richards, Kien, Thieme and Dunn. After the reading of section 1, which grants a franchise for twenty years, Lissner made a speech protesting against the whole business, and said he would vote "no" on every section. He asserted he was present in the interest of the taxpayers. The new company had nothing new to offer; the present supply was always here. The company will float bonds in England and Scotland to the amount of two million dollars, and when the city wants to purchase the supply in five years the stockholders will ask 60 per cent premium. If the company came in on a tight heel and with a new supply he would support them, but as it is he would vote for a one year contract and no more. This brought Mr. Harrison to his feet. He repudiated the assertion that Lissner was the only man present who was there in the interest of the taxpayers, and charged that the gentleman's assertions were the result of his vivid imagination. He hoped every alderman present possessed the moral courage to get up and say that only man was there to protect the taxpayers. Loeb was the only "me too" in the body. On motion of Thieme the section was adopted.

Section 2, which provides for digging ditches, laying pipes, etc., was temporarily assented to. Section 3, which provides for the supervision of the laying of pipes was adopted. Section 4, requiring the company to pay for any damage done to private property in laying pipe, and section 5, providing that the company shall not interfere with or obstruct other pipes or sewers, were also adopted.

Section 6, the most important section in the contract, brought out discussion. It provides for a pure and wholesome and ample supply of water, free from any impurities. Harrison thought this was the time when aldermen interested in the protection of the people should arise themselves. Thieme said he heard from various reliable sources that the water was pure. Nobody seemed able to wrestle with the subject as to how the water is to be tested, and Dunn switched off on to the matter of present and future supply. Harrison offered an amendment providing that after one year from date fifty inches additional shall be furnished, but Dunn objected to this, inasmuch as at present the supply was coming only from the Woolston well and the Hale ditch, the company could hold back the Chessman ditches until the twelve months. This proved a snag and further consideration of the section was passed.

Section 7, designating the pressure to be maintained; section 8, requiring the company to lay tanks, for municipal buildings and sprinkling streets was read, also an amendment providing for water for public parks and fountains within the limits of the mains. Lissner objected to certain portions relative to street sprinkling. Harrison said that was the best feature of the whole contract. The city having the water free could devise means by which any man owning a cart could get water free of charge through an order from the city. It was high time the city should go ahead and not pumper to the mossbacks. With the amendment the section was adopted.

Section 12, providing that the company shall not collect from persons or corporations whom they shall fail to supply with water according to agreement; section 13, requiring that the date of the contract shall begin July 1, 1890, when all required mains and hydrants shall be in position; section 14, giving the mayor and council free access to the company's works; section 15, requiring that water shall be furnished at present and until July 1, 1890, were all adopted.

Section 15, defining the rates to be charged which are the same as heretofore published and providing that meters shall be used in certain cases, brought out some discussion. Thieme thought no company should be permitted to inspect premises at will, and Featherly thought the meter business should be stricken out; Thieme offered an amendment leaving the matter of ascertaining waste of water to the council, the company to apply to that body for permission to investigate. Lissner thought no private houses should be subjected to the meter nuisance, but he was willing to see it applied to hotels and all other public places. He said if the company had the water they wouldn't need the meters; they haven't got the water; they had to pay Hale \$300 per month for his water; they will deal out the water like good whiskey. Mr. Chessman being present said the smallest meter would cost \$25; the company could not afford to put one in every house. Thieme's amendment and the section was adopted. Section 17 designating rates to be charged by the company for making connections with private premises, was adopted.

Section 18 gives the company the right to place a stop cock at every house and shut off the water when the consumer does not pay up promptly. Mr. Thieme said it had come to his notice that the company required some persons to pay for the water supply in advance, which he thought unjust. "Reasonable time" was thought to read "fifteen days" and the section was adopted. Section 19 providing that no person except those connected with the fire department or the mayor or those acting under the authority of the council shall "monkey" with the hydrants except for fire purposes. "Except for fire purposes" was stricken out and the section adopted as amended.

Section 20 designating the depth of water to be kept in the reservoirs, which is not less than six feet in one up to July 1, 1890; after that time not less than six feet in both the Hale and Woolston reservoirs, was adopted. Section 21 providing that \$20 per year shall be paid out of the general fund for each of the 200 hydrants on the twenty miles of mains, for sewerage purposes, and \$80 per year out of the fire fund for each hydrant for fire purposes, total, \$100 for each, or \$20,000 per year was adopted.

Section 21 relative to filing a bond was adopted. Section 22 further providing that the company shall furnish good, pure, wholesome and ample supply according to the requirements of the contract and section 23 making the contract null and void if not agreed up to, were adopted. Section 24 giving the company privilege to enter houses for the purpose of designating rates to be charged was stricken out. Section 25 providing ways and means for negotiating for the purchase of the company's plant was adopted.

Section 26 was then taken up again. It regulates the work of digging ditches on all streets and leaving the streets in proper condition. Adopted. Section 27 which had been passed was next considered. This requires the company to provide abundant and pure water for all purposes for a term of five years. An amendment requiring that a failure to comply with all the obligations was adopted as well as the section. On motion of Loeb the committee arose, the mayor resumed the chair. Chairman Adkinson reported and the report was adopted. Alderman Thieme moved that the ordinance be adopted. At the call of his name Lissner again ob-

jected to the ordinance and voted "No." Klein said he objected to a five year contract and voted no. Adkinson in deference to the wishes of the people of his ward, voted no. Dunn said the company hasn't got the water and he therefore voted "No." If they had the water he would vote "aye," but they haven't got it. He would vote for a two year contract. The mayor voted aye, but his vote could not change the result, as a majority of all the members elected had not voted aye, and the contract was lost. The vote stood:

Ayes—Featherly, Spencer, Loeb, Harrison, Richards, Thieme and the mayor. Total, 7.

Nays—Lissner, Klein, Brown, Adkinson, Dunn, Allen. Total, 6.

Absent—Donnelly, Washburne. Harrison made a speech against the action of those who voted against the contract and a motion to reconsider prevailed. Dunn moved to make the contract two years; Featherly moved to adjourn and Loeb's motion to lay the matter on the table until the next meeting carried.

Bills for \$2,387.86 for water, \$1,232.89 for sewer pay roll and \$198.79 for sewer work were allowed by ordinance. Other routine matters were considered and the council adjourned.

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